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OFFICE OF PETITIONS

In re Application of
Shirley DAINES
Application No. 10/604,658
Filed: August 7, 2003
Attorney Docket No. 45458.23

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

This is a decision on the petition under 37 CFR 1.137(b), filed March 25, 2005, to revive the above-identified application.


The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed July 27, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on October 28, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137 (b) in that (1) the reply in the form of an Amendment; (2) the petition fee of \$1,500; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of July 27, 2004 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Amelia Au at (571) 272-7414. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application file is being referred to Technology Center Art Unit 3711 for appropriate action on the concurrently filed amendment.


Frances Hicks
Lead Petitions Examiner
Office of Petitions